FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

Cri. Application No. 4983 of 2004
IN
CRIMINAL APPEAL . 1366 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. Court's or Judge's orders

Mrs. Pranali Kakade appointed for applicant.
Mr. K.V.Saste APP for State.

CORAM: **B.H. MARLAPALLE**
&
MRS. ROSHAN DALVI JJ.
DATE: 22 /2/2006

P.C.:

Heard Mrs. Kakade learned Advocate appointed. Criminal appeal no. 1366 of 2004 has been filed against the order of conviction and sentence for the offence punishable under section 302 IPC., passed by the learned 3rd Additional Sessions Judge, at Solapur in Sessions Case NO. 146 of 2002, but belatedly. Hence this application for condonation of delay.

As per the office note the appeal is beyond time by 379 days. However, we do not

agree with the same. We have noticed that the order of conviction and sentence is dated 26.3.2003 and the appeal is dated 04.12.03 and forwarded by the Jail authorities on 13.12.2003 to the Registry of this court. In any case we are satisfied that the delay deserves to be condoned. Hence the application for condonation of delay is allowed. Application disposed of accordingly.

(**MRS. ROSHAN DALVI J.**) (**B.H. MARLAPALLE J.**)

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MRS. ROSHAN DALVI JJ.
DATE: 22 /2/2006

P.C.:

Heard Mrs. Kakade learned Advocate appointed.

Appeal is admitted.

Mr. Saste learned APP waives service for the State.

Application for bail, if so advised be presented separately.

(**MRS. ROSHAN DALVI J.**) (**B.H. MARLAPALLE J.**)